

Organizational and Regular Meeting
Town of Clay Planning Board
January 10, 2024

APPROVED

The Organizational and Regular Meeting of the Town of Clay Planning Board, County of Onondaga held at Town Hall located at 4401 State Route 31, Clay, New York on the 10th day of January 2024. The meeting was called to order by Chairman Mitchell at 7:30 p.m. All joined in the Pledge of Allegiance and upon roll call, the following were:

<u>PRESENT:</u>	Russ Mitchell	Chairman
	Michelle Borton	Deputy Chair
	Paul Graves	Member
	Karen Guinup	Member
	Hal Henty	Member
	Al McMahon	Member
	Jim Palumbo	Member
	Mark Territo	Commissioner of Planning & Development
	Marie Giannone	Secretary to Planning Board
	Kathleen Bennett	Planning Board Attorney
	Ron DeTota	C&S Engineer

Organizational Items for the year 2024

Chairman Russ Mitchell made a motion accepting the 2024 Scheduling Calendar, which includes the official meeting dates, and states the filing dates of when a completed application is to be received from an applicant; the Proofs of Publication will be in the Tuesday edition of the Post Standard the week before the meeting; the appointment of Michelle Borton as Deputy Chairman, the appointment of Marie Giannone as Secretary to the Planning Board, the appointment of Kathleen Bennett (Bond, Schoeneck & King) as Planning Board Attorney; and acknowledgement of the Town Board's appointment of C&S Engineers as the Planning Board's Engineer for the year 2024. Seconded by Mr. Henty.

Motion Carried 7-0

Regular Meeting Items:

A motion was made by Mr. Palumbo seconded by Mr. McMahon granting approval of the minutes from the December 13, 2023 meeting.

Motion Carried 7-0

Public Hearings:

None

New Business:

Organizational and Regular Meeting
Town of Clay Planning Board
January 10, 2024

None

Old Business:

**Case #2022-008 – Chick-fil-A, Inc. (3) – 3920 Brewerton Road, Special Permit (Adjourned from 9 previous meetings); and

**Case #2022-009 - Chick-fil-A, Inc. (3) – 3920 Brewerton Road, Site Plan (Adjourned from 9 previous meetings).

Chairman Mitchell said the scoping document has been received and we will be making corrections with approval this evening to move the SEQR process forward. A public hearing will be scheduled for February 28, 2024.

Ms. Borton read the changes to the scoping document as follows:

Preliminary Item D change word conducted to conducting
Change Project Sponsor to Applicant. The applicant submitted a draft scope document to the Planning Board in December.

Page 3 Under Executive Summary change the Town of Clay Building Department to Town of Clay Codes Department

Page 6 Item 13 change to read estimated the trips generated by the Codes development using available data on existing drive thru only by CFI in Northeast

Page 6 No. 19 discussed the plan use of the bypass lane under typical business operations in conditions under which will be used as an order lane during normal drive thru operation.

Page 8 Change project sponsor to applicant or developer

No comments.

Ms. Borton read: Mr. Chairman: In the matter of the application for planning board Cases #2022-008 and #2022-009 for Chick-Fil-A, Brewerton Road, Special Permit and Site Plan, I move the adoption of a resolution to accept the draft scoping document incorporating the changes made tonight, dated January 10, 2024, to distribute it to involved agencies, publish it in the Environmental Notice Bulletin, and schedule a public hearing for the draft scoping document for February 28, 2024. Motion by Mr. Palumbo, seconded by Ms. Guinup.

Motion Carried 7-0

****Case #2023-006 - Emerald Lawn Care/Wetzel Road Properties, LLC (3) – 4663 Wetzel Road – Site Plan (Adjourned from 8 previous meetings).**

Mr. Tim Coyer, L.S. of Ianuzi & Romans Land Surveying is present to address the board. Mr. Coyer stated that they have not officially been in front of this board for the site plan. The plan shows an area of delineated wetlands on the north and east sides of the site, and state wetland maps also show a state wetland check zone on the northeast side of the site. Mr. Coyer said the

Organizational and Regular Meeting
Town of Clay Planning Board
January 10, 2024

DEC was contacted to confirm the presence of federal and/or state wetlands and/or the 100-foot state wetland buffer on the site, which need to be shown on the plans for the site and any necessary permits should be obtained for any proposed development for site plan approval. Mr. Coyer stated that they have not heard back from DEC to date and are looking for a negative declaration on SEQR from this board to move forward to get DEC confirmation of wetlands. Nothing has changed in the site plan.

Chairman Mitchell asked about storage of the product, i.e., fertilizer, pesticides. Mr. Paul Granato of Emerald Lawn Care, stated all products are all stored inside the facility.

Chairman Michell declared Town of Clay as lead agency.

Chairman Mitchell asked if anyone had questions/comments. None.

Attorney Kathleen Bennett asked about the EAF – short or full assessment form with the wetland delineation. Mr. Coyer said this was submitted in March 2023. He will resubmit this to the board.

Ms. Borton read: Mr. Chairman: In the matter of the application of the planning board Case No. 2023-006 Emerald Lawn Care/Wetzel Road Properties, LLC (3) 4663 Wetzel Road, Site Plan (Adjourned from 8 previous meetings), I move the adoption of a resolution using form #10 – SEQR, that the proposed action is an unlisted action, that this Planning Board intends to be Lead Agency for the purposes of SEQR, and to direct the Planning Commissioner to circulate Part 1 of the EAF to all involved agencies. Motion by Ms. Guinup, seconded by Mr. Henty.

Motion Carried 7-0

Motion to adjourn to February 14, 2024 meeting. Motion by Mr. Palumbo, seconded by Ms. Guinup.

Motion Carried 7-0

****Case #2023-029 - Delta Sonic Car Wash/Delta Sonic Car Wash Systems, Inc. (3) – 3627 & 3809 State Route 31 – Site Plan (Adjourned from 7 previous meetings). Chairman Mitchell announced this case would be adjourned to February 14, 2024**

Motion made by Mr. Palumbo to adjourn Case #2023-029 - Delta Sonic Car Wash/Delta Sonic Car Wash Systems, Inc. (3) – 3627 & 3809 State Route 31 – Site Plan (Adjourned from 7 previous meetings to February 14, 2024, Seconded by Mr. Henty.

Motion Carried 7-0

****Case #2023-039 – Nik Loannidis/Gardenview Diner (3) – 3564 Route 31 – Site Plan (Adjourned from 4 previous meetings)**

Ms. Alex Samoray, Keplinger Freeman Associates, represented the applicant and stated the changes made as follows:

Organizational and Regular Meeting
Town of Clay Planning Board
January 10, 2024

- ✓ Drawings are correct size
- ✓ Cover sheet added
- ✓ Landscape drawings on separate sheet
- ✓ Photometrics sheet added
- ✓ Dumpster details specified
- ✓ Snow removal location with location of trees
- ✓ Dumpster enclosure

Chairman Mitchell noted the following changes to be made:

- Title page name change: delete Scott Soyster and add Paul Graves
- Kathleen Bennett (last name spelled Bennett with 2 t's)
- Delete Secretary Judy Rios, add Marie Giannone

Chairman Mitchell asked about the trees in the snow removal area. Ms. Samoray stated that they lightened the amount of trees in that area. Chairman Mitchell said on 4.2 it shows partial plan waster enclosure which can be put on 4.1 taking out shadow 100 under design and typical swing gate reducing this to one page.

Chairman Mitchell asked about overflow parking in the neighboring church parking lot. Ms. Samoray stated this would be utilized for employee parking on the weekends which is their busy time. Mr. Henty asked if the church has given approval to use the lot. Mr. Loannidis/Gardeview Diner said he has spoken to the church and received a verbal permission for use of the parking lot. Mr. Henty said that this has to be in writing from the Diocese stating permission is given to use the parking lot for overflow parking by employees. Mr. Loannidis said this will be taken up with the church as they get close to approval of the plan.

Chairman Mitchell asked about trash removal and Mr. Loannidis said it is emptied on Monday or Tuesday each week.

Brief discussion on the photometrics regarding lighting details and pole height with Mr. Henty and Ms. Samoray. Ms. Samoray and Mr. Henty went over the height and location of pole lights on the drawing.

Mr. Palumbo agrees 100% with snow storage but the spacing along the side of the snow storage is tight with the vertical screening trees. Mr. Palumbo suggested removing two of these screening trees and put them along the back property line behind the dumpster where the spacing is further apart. He asked about the screen fence. Mr. Loannidis said it would be either stockade or shadow box. Mr. Loannidis will give the board clarity on this to be put on the site plan.

Chairman Mitchell would like the height and square footage of the building and what type of materials would be used on the exterior.

Discussion on the flow of the storm water system. Ms. Samoray stated this has been discussed and approved by Department of Transportation (DOT).

Organizational and Regular Meeting
Town of Clay Planning Board
January 10, 2024

Mr. DeTota said the survey provided need to show accuracy of drawing and survey which is shown is accurate. Mr. DeTota would like page L1.0 modified to show survey is accurate. Mr. DeTota said prior to any site plan approvals, we want to see the State acknowledge the site plan they reviewed as well as SWPP to sign off.

Mr. Palumbo – on L4.4 isolated road detail which is listed as optional will be addressed with the applicant and Mr. DeTota at a later date.

Ms. Guinup stated we need approval from the State for lighting.

Chairman Mitchell asked if there are any comments/questions as this is a public hearing. None

Motion made to adjourned this case to February 14, 2024. Motion by Ms. Guinup, seconded by Mr. Palumbo.

Motion Carried 7-0

****Case #2023-041 – Splash Car Wash (3) -7795 Oswego Road – Amended Site Plan (Adjourned from 5 previous meetings).** Chairman Mitchell announced this case would be adjourned.

Motion was made by Mr. Palumbo to adjourned Case #2023-041 Splash Car Wash (3) -7795 Oswego Road – Amended Site Plan (Adjourned from 5 previous meetings) to January 24, 2024. Seconded by Mr. Henty.

Motion Carried 7-0

****Case #2023-042 – Amerco Real Estate Company/U-Haul (3) – 8015 Oswego Road – Amended Site Plan (Adjourned from 4 previous meetings).** Chairman Mitchell announced this case will be adjourned to February 28, 2024.

A motion was made by Mr. Palumbo to adjourn Case #2023-042 – Amerco Real Estate Company/U-Haul (3) – 8015 Oswego Rd - Amended Site Plan to February 28, 2024. Seconded by Mr. McMahon.

Motion Carried 7-0

****Case #2023-047 – EquipmentShare – Syracuse (3) – 7481 Henry Clay Blvd. – Site Plan – (Adjourned from 2 previous meetings).** Chairman Mitchell announced this case is adjourned to February 14, 2024.

Motion was made by Mr. Henty to adjourned Case #2023-047 – **EquipmentShare – Syracuse (3) – 7481 Henry Clay Blvd. – Site Plan – (Adjourned from 2 previous meetings)** to February 14, 2024. Seconded by Ms. Guinup.

Motion Carried 7-0.

Case #2023-048 – **Red Barn Extension (3) – Red Barn Circle – Preliminary Plat (Adjourned from 2 previous meetings)

Mr. Steve Calocerinos, of Calocerinos Engineering, is present to address the board. Mr. Calocerinos said the preliminary plat shows 17 lots on 8.5 acres in an R10 zone. All lots will be between 12,000 sq. ft to 35,000 sq ft in size. Referencing the plan, Mr. Calocerinos said there are storm water management facilities, filtration basin, with an overflow discharge to an existing underdrain connection for sump pump laterals at the rear of the existing sub division lots. Mr. Calocerinos has had discussions with Mr. DeTota regarding the drainage and connections. Most of the lots will drain into easements. Mr. Calocerinos said two lots have been tentatively sold.

Chairman Mitchell asked if anyone had questions/comments as this was just a preliminary plat.
None.

Mr. Chairman:

In the matter of the application of planning board Case No. 2023-048 for Red Barn Extension Preliminary Plat Plan I move the adoption of a resolution using standard form #10 – SEQR, that the proposed action is an unlisted action and does not involve any Federal Agency. It is further determined the proposed action will not have a significant effect on the environment and the resolution shall constitute a negative resolution for the following reason: The plat plan submitted is in keeping with the developed lands of its surrounding areas. Motion by Mr. Palumbo, Seconded by Mr. McMahon.

Motion Carried 7-0

Mr. Chairman:

In the matter of the application of planning board Case No. 2023-048 for Red Barn Extension Preliminary Plat Plan I move the adoption of a resolution using standard form #30 Preliminary Plat be granted based on a map by Ianuzi & Romans Land Surveying dated October 5, 2023 and numbered 1164.099. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Motion by Mr. Palumbo, Seconded by Mr. Henty.

Motion Carried 7-0.

1. Closed Hearings - Board/Applicant discussions:

** Case #2023-040 – **Metropolitan Signs, Inc./America Stores It** (3) – 8372 Oswego Road – Special Permit (Electronic Sign) (Adjourned from 3 previous meetings)

Mr. David Razzante, Metropolitan Signs, is present to address the board for the approval of the location of the electronic sign. Mr. Razzante said the sign will have date and time, first alerts, lighting will be fixed for daylight and evening.

Mr. Chairman:

In the matter of the application of the planning board case No. 21023-040 for Metropolitan Signs, Inc. I move the adoption of a resolution using standard form #10 – SEQR, that the proposed action is an unlisted action and does not involve any Federal Agency. It is further determined the proposed action will not have a significant effect on the environment and the resolution shall constitute a negative resolution for the following reason. It is in keeping with the existing character of the area. Motion by Mr. McMahon, seconded by Mr. Palumbo.

Motion Carried 7-0

Mr. Chairman:

In the matter of the application of the planning board case No. 2023-040 for Metropolitan Signs, Inc. I move the adoption of a resolution using standard form #70 – special permit be granted based on a map by Ianuzi & Romans Land Surveying dated January 5, 2024 and numbered 2875.003. Conditioned upon approval of all legal and engineering requirements of the Town of Clay. Motion by Mr. McMahon, seconded by Mr. Palumbo.

Motion Carried 7-0

2. New Business:

SIGNS

Sign and Lighting Service - Jiffy Lube Multicare - 5237 West Taft Road Zoned RC-1, Permit #53,847

1 - Freestanding Monument Sign - A 57.5 square foot, Freestanding Monument Sign is proposed when 57.5 square feet is allowed per approval of the Zoning Board of Appeals September 11, 2023 (see attached).

Motion to approve 1 Freestanding Sign Permit #53,847, Jiffy Lube Multicare - 5237 West Taft Road. Motion by Mr. Palumbo, seconded by Ms. Guinup.

Motion Carried 7-0

Maintenance Company of Hopewell, Inc. - Citgo - 7653 Morgan Road Zoned LuC-1, Permit #53,866

1 - Canopy Sign - Applicant is proposing to replace Sunoco canopy signs with Citgo, totaling 69.52 sq.ft.

1 - Freestanding Sign - A 49.77square foot, Freestanding Sign is proposed. This LED Sign received Special Permit approval from the planning board at the December meeting.

Organizational and Regular Meeting
Town of Clay Planning Board
January 10, 2024

Motion to approve the Citco sign package which includes 1 Canopy Sign for Citco, 7653 Morgan Rd, Permit #53,866 with the condition to remove signs on the free-standing signs – approximately 3 signs. Motion by Mr. Palumbo, seconded by Ms. Guinup.

Motion Carried 7-0

Allied Sign Company - The UPS Store - 7421 Oswego Road Zoned RC-I, Permit #53,981
1 - Wall Sign - A 36 square foot Wall Sign internally illuminated Led is proposed when 40 square feet is allowed. This sign will meet code.

Motion to approve the UPS Store sign Permit #53,981. Motion by Mr. Palumbo, seconded by Mr. McMahan.

Motion Carried 7-0

Signarama Liverpool - Salvation Army - 7595 Oswego Road, Zoned RC-1, Permit #53,982
1 – Freestanding Pole Sign- A 48 square foot, Freestanding Monument Sign, to replace the damaged sign, is proposed when 64 square feet is allowed. This sign will meet code.

Motion to approve the Salvation Army Freestanding Pole Sign- A 48 square foot to replace the damaged sign with the condition that it does not hang over the parking lot. Motion by Mr. Palumbo, seconded by Mr. McMahan.

Motion Carried 7-0

ADJOURN MEETING

Motion made to adjourn meeting at 8:30 p.m. Motion by Mr. Palumbo, seconded by Mr. Henty.

The next meeting is January 24, 2024

Respectfully Submitted,



Marie Giannone
Planning Board Secretary